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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
2004 MAY 21 P 12:58

U.S. DISTRICT COURT
DISTRICT OF MASS.

CHRISTOPHEHR C. DAVIDSON,
Plaintiff,

vs.

DEUTSCHE BANK SECURITIES, INC.,
DEUTSCHE BANK HOLDING
CORPORATION, and DEUTSCHE
BANK AMERICAS SEVERANCE PAY
PLAN,
Defendants

Civil Action No.

04 cv 11027 RGS

NOTICE OF REMOVAL

MAGISTRATE JUDGE Boul

**TO THE JUDGES OF THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS:**

Pursuant to 28 U.S.C. §§ 1441 (b) and 1446, defendants Deutsche Bank Securities, Inc., Deutsche Bank Holding Corporation, and Deutsche Bank Americas Severance Pay Plan (collectively, "Defendants") hereby give notice of the removal to this Court of the above-captioned civil action, commenced in the Commonwealth of Massachusetts Superior Court, Suffolk County, Civil Action No. 2004-1978E. As grounds for the removal, Defendants state:

1. The Complaint in Suffolk County, Civil Action No. 2004-1978E, was served on Defendants on or about May 11, 2004. A copy of the Complaint, the Summons, and Civil Action Cover Sheet from that matter are attached hereto as Exhibits 1, 2, and 3, respectively.

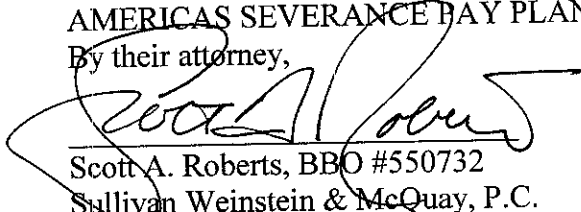
2. In Count 4 of the Complaint, the plaintiff purports to assert a claim against Defendants for violation of ERISA pursuant to 29 U.S.C. §1140 and 29 U.S.C. §1132 (g)(1) (the "ERISA claim"). See Exhibit 1, Complaint, ¶¶ 27-32.

3. This Court has original jurisdiction over the plaintiff's ERISA claim pursuant to 28 U.S.C. §1331. Accordingly, Defendants are entitled to remove the plaintiff's action to this Court pursuant to 28 U.S.C. §§ 1441(b).

4. Defendants are further entitled to remove the plaintiff's action to this Court pursuant to 28 U.S.C. §§ 1441 and 1446 because this Court has original diversity jurisdiction over this matter under the provisions of 28 U.S.C. §1332(a) because: (a) defendants Deutsche Bank Securities, Inc. and Deutsche Bank Holding Corporation are Delaware corporations with their principal places of business in New York, New York; (b) plaintiff is a citizen of Massachusetts; and (c) plaintiff claims that the amount in controversy, exclusive of interest and costs, exceeds \$75,000. See Exhibit 3, Civil Action Cover Sheet.

5. Pursuant to 28 U.S.C. §1446(a), copies of all process and pleadings served on Defendants in this action are attached hereto as Exhibit 1, 2, and 3.

DEUTSCHE BANK SECURITIES, INC.,
DEUTSCHE BANK HOLDING
CORPORATION, and DEUTSCHE BANK
AMERICAS SEVERANCE PAY PLAN
By their attorney,



Scott A. Roberts, BBO #550732
Sullivan Weinstein & McQuay, P.C.
Two Park Plaza, Suite 610
Boston, MA 02116-3902
617-348-4300

Dated: May 21, 2004

CERTIFICATE OF SERVICE

I, Scott A. Roberts, hereby certify that a copy of the foregoing document was served by mailing same, postage prepaid, first class mail to Allison M. O'Neill, Craig and Macauley Professional Corporation, Federal Reserve Plaza, 600 Atlantic Avenue, Boston, MA 02210 on May 21, 2004.



Scott A. Roberts